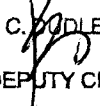


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

AUG 02 2013

JULIA C. DODLEY, CLERK  
BY:   
DEPUTY CLERK

ROBERT PHAROAH HOWARD,  
Plaintiff,

Civil Action No. 7:13-cv-00247

v.

MEMORANDUM OPINION

COYLE, ET AL,  
Defendant(s).

By: Glen E. Conrad  
Chief United States District Judge

Robert Pharoah Howard, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By order entered July 2, 2013, the court directed plaintiff to submit within 10 days from the date of the order a signed Consent to Fee form. Plaintiff was advised that failure to comply would result in dismissal of this action without prejudice.

More than 10 days have elapsed, and plaintiff has failed to comply with the described conditions because he has failed to return the executed Consent to Fee form. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 2<sup>d</sup> day of August, 2013.

  
Chief United States District Judge